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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/696,297	10/28/2003	Kurt Stahl	107773-134984	5115	
25943	7590 05/04/2004	EXAMINER			
	, WILLIAMSON & W	NGUYEN,	NGUYEN, DUNG T		
	ENTER, SUITES 1600- TH AVENUE	ART UNIT	PAPER NUMBER		
PORTLAND			2871		

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Dung Nguyen 2871 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						1str		
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DETAILED ACTION

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Priority

1. This application appears to be a continuation of Application No. 09/535,427, filed 03/23/2000.

Specification

2. The amendment filed 10/28/2003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: claims 40-42 and 49 recite a limitation of "the light source emits the first, second, and third wavelength bands of light in the second polarization direction" (emphasis added) which is not disclosed in the original specification. It should be noted that the original specification just disclose a light source being produce S-polarized rays that are received by a spectrally selective wave plate (36). In other words, the light source system would emit the first, second, and third wavelength bands of light in the second polarization direction as claimed. Therefore, the added limitation is not supported by the original disclosure.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 40-42 and 49 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 40 and 49, a limitation of "the light source emits the first, second, and third wavelength bands of light in the second polarization direction" is not disclosed in the original specification as stated above. Therefore, such imitation would contains subject matter which was not described in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 6. Claims 33-39, 43, 45-48, 50-51 and 53 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasama et al., US Patent No. 5,577,826.

The above claims are anticipated by Kasama et al. figure 8 and accompanying text which disclose a reflect type color projector comprising:

- . a light source (101);
- . a plate-type transflective polarizing beam splitter (PBS) (PBS 103) as claimed;

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. a color filter (color splitter 109);

. dichroic trim filters (104, 108);

respective liquid crystal light valves (105, 110 and 113) to selectively reflect portions respective first, second and third wavelength bands of light (through pixels, according to a liquid crystal light valves) toward a projection lens (116) as claimed.

Applicants contain that, regarding claims 33 and 46, the use of non-scientific dictionaries that may misconstrue the true meaning of a technical claim term as under stood by one skilled in the art. The Examiner agrees; however, the Examiner respectfully disagrees with Applicant's view point of the definition of "plate type" in the plate-type PBS term. It should be noted that the "plate" is a known term to denote for "a smooth flat thin piece" and one skilled in the art would be able to understand a flat-type PBS as a PBS having at least a flat surface and such surface can be inclined relative to each other to form a PBS as stated by applicants. Therefore, the limitation of the "flat-type" PBS and the Kasama et al. PBS would be the same as well.

Allowable Subject Matter

7. Claims 44 and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN 04/28/2004 Dung Nguyen Primary Examiner Art Unit 2871